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10/561,653	06/02/2006	Todd Garrett Simpson	ZICO0013	7857

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EXAMINER	
LAM, VINH TANG	

ART UNIT	PAPER NUMBER
2629	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/561,653	SIMPSON ET AL.	
	Examiner	Art Unit	
	VINH T. LAM	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 July 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 December 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims **1-12**, and **14-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over **MILLINGTON (US Pub. No. 2002/0067335)** in view of **King et al. (US Patent No. 6307549).**

Regarding Claim **1**, (Currently Amended) **MILLINGTON** teaches a text symbol entry system, comprising:

a display visually divided into at least two functional areas, a first of the functional areas corresponding to a first aspect of entering text symbols, and a second of the functional areas corresponding to a second aspect of entering text symbols ([**0020**], FIG. **2**);

an indicator system operable by one human digit, the indicator system having at least a first cardinal state corresponding to a first stroke category, a second cardinal state corresponding to a second stroke category, and a third cardinal state, the third cardinal state having no textual meaning associated with it ([**0021**], FIGs. **3 & 4**);

a processor responsive to each cardinal state, whereby the indicator system may be used to select options displayed in at least one of the functional areas ([**0023**], FIG. **5**);

a program controlling the processor so that text symbols may be entered in response to a user selecting at least one of the options ([**0023**], FIG. **5**); and

However, **MILLINGTON** does not teach that the first functional area displays text symbols having strokes associated with the first and second stroke categories and the second functional area displays selected text symbols characters and the display further comprising a stroke display area for the first and second stroke categories.

In the same field of endeavor, **King et al.** teach

the first functional area (i.e. **1310**; Col. **25**, Ln. **51**-**53**, FIG. **12**) displays text symbols which comprise completed text symbols (i.e. "**done**" or "**doze**"; FIG. **12**) that have strokes associated with said first and second stroke categories (i.e. "**D**" and "**o**" respectively shown in **88**; FIG. **8E**) and the second functional area (i.e. **1306**; Col. **25**, Ln. **44**-**46**, FIG. **12**) displays selected text symbols characters (i.e. "**Now our work is finally**" shown in **1306**; FIG. **12** or "**Done**" shown in **88**; FIG. **8F**); and

the display further comprises a stroke display area for displaying strokes within said first and second stroke categories, which are respectively identifiable by the first and second cardinal states (i.e. "**D**" and "**o**" respectively shown in **88**; FIG. **8E**).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine **MILLINGTON** teaching of a text symbol entry system comprising a display visually divided into at least two functional areas, an

indicator system operable by one human digit, a processor responsive to each cardinal state, and a program controlling the processor with **King et al.** teaching of the first functional area displays completed text symbols and the second functional area displays selected text symbols *in order to benefit of* more convenient and faster system of text entry.

Regarding Claims **15** and **22**, (Currently Amended) **MILLINGTON** teaches a method of entering text symbols, comprising:

providing a processor operably connected to the indicator system ([**0023**], FIG. **5**);

activating the first cardinal state to indicate to the processor selection of a first category of text symbol to be entered, the first category including text symbols used to create text ([**0020**], [**0023**], FIGs. **2** & **5**).

However, **MILLINGTON** does not teach that the first functional area displays candidate text symbols, the second functional area displays selected text symbols, stroke display area for displaying symbols identifiable by the first and second cardinal states, the indicator system having a first cardinal state corresponding to a first stroke category, a second cardinal state corresponding to a second stroke category.

In the same field of endeavor, **King et al.** teach

providing a display having a first functional area (i.e. **1310**; Col. **25**, Ln. **51**-**53**, FIG. **12**) and a second functional area (i.e. **1306**; Col. **25**, Ln. **44**-**46**, FIG. **12**) wherein the first functional area displays candidate text symbols (i.e. "**done**" or "**doze**"; FIG. **12**) [which comprise completed text symbols (i.e. "**done**" or "**doze**"; FIG. **12**) that have

strokes associated with first and second stroke categories (i.e. "**D**" and "**o**" respectively shown in **88**; FIG. **8E**); (Claim **22** only)] and the second functional area displays selected text symbols (i.e. "**Now our work is finally**" shown in **1306**; FIG. **12** or "**Done**" shown in **88**; FIG. **8F**), and the display further comprises a stroke display area for displaying symbols identifiable by the first and second cardinal states (i.e. "**D**" and "**o**" respectively shown in **88**; FIG. **8E**);

providing an indicator system operable by one human digit/eye (Col. **6**, Ln. **49-60**, FIG. **2**), the indicator system having a first cardinal state corresponding to a first stroke category (i.e. **1306**; Col. **25**, Ln. **44-46**, FIG. **12**), a second cardinal state corresponding to a second stroke category (i.e. "**D**" and "**o**" respectively shown in **88**; FIG. **8E**), and a third cardinal state (i.e. "**Done**" shown in **88**; FIG. **8F**);

displaying in the stroke display area a symbol of the first category (i.e. "**D**" shown in **88**; FIG. **8E**).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine **MILLINGTON** teaching of providing a processor operably connected to the indicator system and activating the first cardinal state to indicate to the processor selection of a first category of text symbol with **King et al.** teaching of the first functional area displays candidate text symbols, the second functional area displays selected text symbols, a stroke display area for displaying symbols identifiable by the first and second cardinal states, third cardinal states, providing an indicator system operable by one human digit, and displaying in the stroke

display area a symbol of the first category *in order to benefit of* more convenient and faster method of text entry.

Regarding Claim **2**, (Currently Amended) **MILLINGTON** teaches the text symbol entry system of claim 1, wherein:

the first cardinal state is activated by applying a force to a first location ([**0022**], FIG. **4**);

the second cardinal state is activated by applying a force to a second location ([**0022**], FIG. **4**); and

the third cardinal state is activated by identifying a third location, the third location being located between the first location and the second location ([**0022**], FIGs. **2** & **4**).

Regarding Claim **3**, (Currently Amended) **MILLINGTON** and **King et al.** teach the text symbol entry system of claim 2.

Although **MILLINGTON** and **King et al.** do not explicitly teach that a fourth cardinal state is activated by activating the first cardinal state and the third cardinal state.

However, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to recognize that a fourth cardinal state is activated by activating the first cardinal state and the third cardinal state which is **well-known** in the art and it is an obvious **Design Choice** of using shortcut keys to execute certain actions, for example Ctrl+Alt+Del combination is used for turning on/off or logging in/out, for a benefit of alternatively executing action by utilizing shortcut keys..

Regarding Claim **4**, (Currently Amended) the text symbol entry system of claim 2, wherein **MILLINGTON** teaches identifying the third location is accomplished by applying a force to the third location ([**0022**], FIG. **4**).

Regarding Claim **5**, (Currently Amended) the text symbol entry system of claim 1, wherein **MILLINGTON** teaches the text symbol entry system has a first mode and a second mode, wherein;

when the text entry system is in the first mode, the first cardinal state has a textual meaning associated with it ([**0027**], [**0028**], FIG. **2**), and

when the text entry system in the second mode, the first cardinal state has a different meaning associated with it ([**0029**], FIG. **2**).

Regarding Claim **6**, (Currently Amended) the text symbol entry system of claim 5, wherein **MILLINGTON** teaches the different meaning is a different textual meaning ([**0029**], FIG. **2**).

Regarding Claim **7**, (Currently Amended) the text symbol entry system of claim 5, wherein **MILLINGTON** teaches the different meaning is not a textual meaning ([**0030**], FIG. **2**).

Regarding Claim **8**, (Currently Amended) the text symbol entry system of claim 7, wherein **MILLINGTON** teaches the different meaning is a navigational meaning ([**0030**], FIG. **2**).

Regarding Claim **9**, (Currently Amended) the text symbol entry system of claim 5, wherein **MILLINGTON** teaches moving from the first mode to the second mode is accomplished by applying a force to the third location ([**0030**], FIG. **2**).

Regarding Claim **10**, (Currently Amended) the text symbol entry system of claim 5, wherein **MILLINGTON** teaches when the text symbol entry system is in the first mode, the first cardinal state is used to select a first category of text symbol and the second cardinal state is used to select a second category of text symbol ([**0027**], [**0030**], FIG. **2**).

Regarding Claim **11**, (Currently Amended) the text symbol entry system of claim 1, wherein **MILLINGTON** teaches the first cardinal state is used to select a first category of text symbol and the second cardinal state is used to select a second category of text symbol ([**0027**], [**0029**], FIG. **2**).

Regarding Claim **12**, (Currently Amended) the text symbol entry system of claim 11, wherein **MILLINGTON** teaches the first cardinal state is used to select a first category of text symbol and the second cardinal state is used to select a second category of text symbol, wherein the first category of text symbol includes symbols having a first feature and the second category of text symbol includes symbols having a second feature ([**0020**], FIG. **2**).

Regarding Claim **14**, (Currently Amended) the text symbol entry system of claim 1, wherein **MILLINGTON** teaches the indicator system includes a position indicator and selection of one of the cardinal states is accomplished by detecting a position of the position indicator ([**0024**], FIG. **6**).

Regarding Claims **16** and **23**, (Original) the method of claims 15 and 22 respectively, **MILLINGTON** teaches further comprising displaying a representative symbol, the representative symbol corresponding to the first category ([**0020**], FIG. **2**).

Regarding Claims **17** and **24**, (Currently Amended) the method of claims 15 and 22 respectively, **King et al.** teach further comprising displaying in the first functional area text having one of the symbols corresponding to the first category (i.e. **1310**; Col. **25**, Ln. **51**-**53**, FIG. **12**).

Regarding Claims **18** and **25**, (Currently Amended) the method of claims 17 and 24 respectively, **MILLINGTON** teaches further comprising:

activating the second cardinal state to indicate to the processor selection of a second category (of text symbol (Claim 25)) to be entered, the second category including symbols used to create text ([**0020**], FIG. **2**).

However, **MILLINGTON** does not explicitly teach that displaying in the first functional area having one of the symbols corresponding to the first category and one of the symbols corresponding to the second category.

In the same field of endeavor, **King et al.** teach that displaying in the first functional area (a text symbol (Claim 25)) having one of the symbols corresponding to the first category and one of the symbols corresponding to the second category (i.e. "**D**" and "**o**" respectively shown in **88**; FIG. **8E**).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine **MILLINGTON** teaching of activating the second cardinal state to indicate to the processor selection of a second category with **King et al.** teaching of displaying in the first functional area having one of the symbols corresponding to the first category and one of the symbols corresponding to the second

category *in order to benefit of* better interfacing method between user and text entry system.

Regarding Claims **19** and **26**, (Currently Amended) the method of claims 17 and 24 respectively, **King et al.** teach further comprising selecting the text symbol displayed in the first functional area (i.e. "**done**" or "**doze**"; FIG. **12**).

Regarding Claims **20** and **27**, (Currently Amended) the method of claims 18 and 26 respectively, **King et al.** teach further comprising displaying the selected text symbol in the second functional area (i.e. "**Now our work is finally**" shown in **1306**; FIG. **12** or "**Done**" shown in **88**; FIG. **8F**).

Regarding Claims **21** and **28**, (Currently Amended) the method of claim 15 and 22 respectively, **King et al.** teach further comprising:

displaying in the first functional area a first icon that represents text (symbol (Claim 22)) which has one of the symbols corresponding to the first category (i.e. **1310**; Col. **25**, Ln. **51**-**53**, FIG. **12**); and

displaying in the first functional area a second icon that represents part of a text symbol, the first icon and the second icon having the same symbols (i.e. "**D**" and "**o**" of "**Done**" and "**Doze**"; FIG. **12**).

2. Claim **13** is rejected under 35 U.S.C. 103(a) as being unpatentable over **MILLINGTON (US Pub. No. 2002/0067335)** in view of **King et al. (US Patent No. 6307549)** and further in view of **Chen (US Patent No. 6054941).**

Regarding Claim **13**, (Currently Amended) **MILLINGTON** and **King et al.** the text symbol entry system of claim 12.

However, **MILLINGTON** and **King et al.** do not teach a symbol having both the first feature and the second feature is included in both the first category and the second category.

In the same field of endeavor, **Chen** teaches a symbol having both the first feature and the second feature is included in both the first category and the second category (e.g. buttons **1** and **2**, FIG. **1**).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine **MILLINGTON** and **King et al.** teachings of a text inputting device with different categories and features **Chen** teaching of having common features in both categories *in order to benefit of* quickly accessing either category since a symbol having both features included in both categories.

Response to Arguments/Remarks/Amendments

3. Applicant's arguments filed **07/31/2009** have been fully considered but they are ***NOT*** persuasive.

Applicant argues that the claimed invention concerned with "strokes found in ideographic languages, such as Chinese" while **King et al.** teachings of keystrokes sequences. However, the Examiner respectfully disagrees because:

First of all, "strokes found in ideographic languages, such as Chinese" is ***NOT*** in the claimed. *Stroke* is defined as part of alphabetical, ideographic, hieroglyphic, pictographic, Islamic, Hebrew, Arabic texts, or even a painting. Therefore, according to MPEP 2111.04, *USPTO personnel are to give claims their* ***broadest reasonable***

interpretation *in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997).* ***Limitations appearing in the specification but not recited in the claim should not be read into the claim****. E-Pass Techs., Inc. v. 3Com Corp., 343 F.3d 1364, 1369, 67 USPQ2d 1947, 1950 (Fed. Cir. 2003) (claims must be interpreted "in view of the specification" without importing limitations from the specification into the claims unnecessarily). In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969). See also In re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320,1322 (Fed. Cir. 1989).*

Secondly, **King et al.** *explicitly and undisputedly* teach that the keystrokes are in deed strokes of the Western text/letters (Col. **3**, Ln. **59**-**62**). Furthermore, each letter of the Western text is comprised of at least one stroke as it is well-known to be taught to children who are first learning to write.

Finally, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

The prior art(s) made of record and not relied upon (is)/are considered pertinent to applicant's disclosure: Savolainen (US PGPub. No. US 2002/0126097).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINH T. LAM whose telephone number is (571)270-3704. The examiner can normally be reached on M-F (7:00-4:30) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on (571) 272-7674. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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